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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISAMARIA MARTINEZ,

Plaintiff,

v.

**COUNTY OF ALAMEDA, MELISSA
WILK**, in her individual capacity, **EVA HE**,
in her individual capacity, **MARIA LAURA
BRIONES**, in her individual capacity,

Defendants.

Case No. 3:20-cv-06570-TSH

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION FOR LEAVE TO
AMEND COMPLAINT**

Hearing Date: July 13, 2023
Hearing Time: 11:00 am
Courtroom: by Zoom video conference
Judge: Hon. Thomas S. Hixson

REQUEST FOR JUDICIAL NOTICE

Plaintiff Lisamaria Martinez respectfully requests the Court take judicial notice of the appropriation of state funds to the County of Alameda Clerk-Recorder's Office through its general fund as evidenced within publicly available budget documents published by Defendant County of Alameda. Facts are validated by Exhibits 1, 2, and 3 attached to the accompanying Declaration of Timothy Elder in Support of Request for Judicial Notice in Support of Motion for Leave to Amend Complaint ("Elder Decl."). The annually published budget documents contain the County of Alameda logo and were adopted by the Alameda County Board of Supervisors. Accordingly, such facts contained within final budget documents are "not subject to reasonable dispute" because they "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned" under Fed. R. Evid. 201(b)(2). Specifically, Ms. Martinez respectfully requests that the Court take judicial notice of the following:

1. The County of Alameda received a total of \$1,269.5 million in state aid in 2019-2020, of which \$1,221 million went into the County's general fund. (See **Exhibit 1** (County of Alameda Final Budget 2019-2020 at 17-18), Elder Decl. ¶ 2.)

2. The County of Alameda received a total of \$1,306.3 million in state aid in 2020-2021, of which \$1,256 million went into the County's general fund. (See **Exhibit 2** (County of Alameda Final Budget 2020-2021 at 22), Elder Decl. ¶ 3.)

3. The County of Alameda received a total of \$1,386.6 million in state aid in 2021-2022, of which \$1,327.8 million went into the County's general fund. (See **Exhibit 3** (County of Alameda Final Budget 2021-2022 at 23), Elder Decl. ¶ 4.)

4. The Clerk-Recorder's Office is part of "general government" of the County of Alameda: "General Government departments include the Board of Supervisors, ALL IN Alameda County, Arts Commission, Assessor, Auditor-Controller/**Clerk-Recorder**, Community Development Agency, County Administrator's Office, County Counsel, General Services Agency, Human Resource Services, Information Technology Department, Public Works Agency, Registrar of

1 Voters, and Treasurer-Tax Collector.” (See **Exhibit 1** (County of Alameda Final Budget 2019-
2 2020 at 33), Elder Decl. ¶ 2 (emphasis added).)

3 5. The Clerk-Recorder’s Office received a share of the 14.8% of County appropriations that
4 went to the Auditor-Controller/Clerk-Recorder in 2019-2020. (See **Exhibit 1** (County of Alameda
5 Final Budget 2019-2020 at 39), Elder Decl. ¶ 2.)

6 6. The Clerk-Recorder’s Office received a share of the 14.5% of County appropriations that
7 went to the Auditor-Controller/Clerk-Recorder in 2020-2021. (See **Exhibit 2** (County of Alameda
8 Final Budget 2020-2021 at 36), Elder Decl. ¶ 3.)

9 7. The Clerk-Recorder’s Office received a share of the 14.1% of County appropriations that
10 went to the Auditor-Controller/Clerk-Recorder in 2021-2022. (See **Exhibit 3** (County of Alameda
11 Final Budget 2021-2022 at 34), Elder Decl. ¶ 4.)
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15 DATED: June 5, 2023

Respectfully submitted,

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/s/ Timothy Elder

Timothy R. Elder

Attorneys for Plaintiff